



Mark C. Moore
Member

July 17, 2019

VIA ECF

The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Christian Dawkins and Merl Code*
Case Number: 17-cr-684-ER

Dear Judge Ramos:

I am writing on behalf of defendants Christian Dawkins and Merl Code (collectively "Defendants") to respectfully request a 20-day extension of time for Defendants to file their respective objections to the draft Presentence Reports ("PSRs"), which they received from the United State Probation Office ("USPO") on July 9, 2019. Defendants' objections to the draft PSRs are currently due on or before July 23, 2019. In addition, Defendants also respectfully request a 45-day adjournment of the sentencing hearing, which is currently scheduled for August 15, 2019. The reasons for the requested extensions of time are set forth below.

Both Mr. Mathias and I have very busy work schedules in July and both have week-long vacations scheduled for the end of this month. We have reviewed the draft PSR and anticipate filing at least two significant objections to the Guidelines computations set forth therein. However, we do need additional time to research and prepare those objections, and to consult with our client and the United States Probation Office (USPO) regarding those objections. The Guidelines issues in this case are somewhat complicated, and we do not believe that we can file objections by July 23. Moreover, the USPO has advised that it will need two weeks to respond to any objections that we file. As such, we do not believe the current schedule will allow us to receive and review the final PSR and file our sentencing memorandum sufficiently in advance of August 15, 2019. Mr. Haney is in a similar position with respect to Mr. Dawkins.

We have consulted with the Government, and Assistant United States Attorney Robert Boone has indicated that the Government consents to the extensions requested

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herein. We have also consulted with United States Probation Officer Nicolo DiMaria (“USPO DiMaria”), and USPO DiMaria has indicated that the USPO will need two weeks to respond to any objections that are filed and otherwise takes no position with respect to the requested extensions.

Therefore, for the foregoing reasons, Defendants jointly move this Court for a 20-day extension of time to August 12, 2019 to file their respective objections to the draft PSRs. Defendants also jointly move this Court for a 45-day adjournment of their sentencing hearing, which would postpone Defendants’ sentencing to sometime after September 30, 2019.

Thank you for your consideration of this request.

Respectfully submitted,

s/ Mark C. Moore

cc (via ECF): Steven A. Haney
(Counsel for Defendant Christian Dawkins)

Robert L. Boone
Noah Solowiejczyk
Eli J. Mark
(U.S. Department of Justice)